Rec'd PCT/PT@ 15 APR 2005







INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

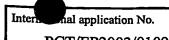
(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applica	ant's or agent's file reference	FOR FURTHER AC	CTION	See Form PCT/IPEA/416					
	P27215/WO Kf								
Interna	ational application No.	International filing dat		Priority date (day/month/year)					
	PCT/EP2003/010986	02 October 200		15 October 2002 (15.10.2002)					
Interna	ational Patent Classification (IPC) or n F16H 61/42	ational classification and	d IPC						
Applica		NINGHAUS HYDI	ROMATIK GMB	H et al.					
1.	This report is the international prelin Authority under Article 35 and trans	minary examination repo smitted to the applicant a	ort, established by this according to Article 3	s International Preliminary Examining 6.					
2.	This REPORT consists of a total of		-	sheet.					
3.	This report is also accompanied by								
	a (sent to the applicant and	l to the International Bu	reau) a total of	sheets, as follows:					
	sheets of the description, claims and/or drawings which have been amended and are the basis of this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).								
	sheets which sup beyond the disclo Supplemental Bo	sure in the international	t which this Authorit l application as filed,	y considers contain an amendment that goes as indicated in item 4 of Box No. I and the					
b. (sent to the International Bureau only) a total of (indicate type and number of electronic carri- , containing a sequence listing and/or tables related thereto, in com- readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of Administrative Instructions).									
4. This report contains indications relating to the following items:									
	Box No. I Basis of the re	eport							
	Box No. II Priority								
	Box No. III Non-establish	ment of opinion with re	gard to novelty, inven	tive step and industrial applicability					
	Box No. IV Lack of unity of invention								
	elty, inventive step or industrial applicability;								
İ	Box No. VI Certain docum	explanations supporting nents cited							
	Box No. VII Certain defect	ts in the international ap	plication						
-	Box No. VIII Certain obser	vations on the internation	nal application						
Date o	of submission of the demand		Date of completion of this report						
	23 March 2004 (23.03	.2004)	21	June 2004 (21.06.2004)					
Name	and mailing address of the IPEA/EP		Authorized officer						
Facsir	nile No.		Telephone No.						

Translation





PCT/EP2003/010986

Box No). <u>1</u>	Basis of the report						
1. With other	regard	to the language, this report is based on the international application in the language in which it was filed, unless adicated under this item.						
	This whic	report is based on translations from the original language into the following language, this language of a translation furnished for the purpose of:						
1		international search (under Rules 12.3 and 23.1(b))						
l		publication of the international application (under Rule 12.4)						
		international preliminary examination (under Rules 55.2 and/or 55.3)						
2. With regard to the elements of the international application, this report is based on (replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report): The international application as originally filed/furnished								
	the de	escription:						
	pages	, as originally filed/furnished						
	pages							
1	pages	received by this Authority on						
	the cl	aims:						
1	pages	, as originally filed/furnished						
	pages	, as amonded (together with any statement) under Article 19						
	pages							
İ	pages	* received by this Authority on						
	the dr	awings:						
	pages	, as originally filed/furnished						
	pages	received by this Authority on						
l	pages	received by this Authority on						
	a sequ	nence listing and/or any related table(s) - see Supplemental Box Relating to Sequence Listing.						
3. 🗌	The a	mendments have resulted in the cancellation of:						
		the description, pages						
		the claims, Nos.						
		the drawings, sheets/figs						
		the sequence listing (specify):						
		any table(s) related to sequence listing (specify):						
4.	made, (Rule	report has been established as if (some of) the amendments annexed to this report and listed below had not been since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box 70.2(c)).						
		the description, pages						
		the claims, Nos.						
		the drawings, sheets/figs						
	Ш	the sequence listing (specify):						
		any table(s) related to sequence listing (specify):						
* If item 4 applies, some or all of those sheets may be marked "superseded."								
Form PCT/IPEA/409 (Pov No. D. (Jonney 2004)								

INTERNATIONAL PREDMINARY EXAMINATION REPORT



V.	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability;
	citations and explanations supporting such statement

1. Statement			
Novelty (N)	Claims	1-24	YES
	Claims		NO
Inventive step (IS)	Claims	1-24	YES
	Claims		NO NO
Industrial applicability (IA)	Claims	1-24	YES
	Claims		NO

2. Citations and explanations

Reference is made to the following documents:

D1: EP-A-1 223 069 (BRUENINGHAUS HYDROMATIK GMBH) 17 July 2002

D2: DE 196 38 421 A (SAUER INC) 27 March 1997 (1997-03-27)

The invention relates to a control unit for a hydrostatic drive unit with a hydraulic pump and a first and second hydraulic engine unit, which drive the front axle and rear axle, respectively.

In the prior art, slippage of an axle is generally prevented by detecting the difference in rotational speed and then adjusting the displacement of the axle that is spinning.

Document **D1** is considered the prior art closest to the subject matter of claims 1 and 13. It discloses the preamble of claims 1 and 13.

Document D2 discloses the preamble of claim 2.

According to D1, an electronic unit detects the driving situation (uphill, downhill, flat surface) and makes a preventive correction to the pivoting angle.

INTERNATIONAL PRELIMINARY EXAMINATION REPORT



The problem to be solved by the present invention can thus be seen as that of providing simpler means for the preventive detection of slippage.

A control valve according to the characterizing part of claim 1, 2 or 13 that switches according the position of the accelerator pedal F-R (claim 1) or according to the gradient detected (uphill, downhill) by a gradient sensor (claim 2) or according to the difference in pressure between the first and the second main lines (claim 13) is not known or suggested by any of the cited documents.

Claims 3-12 and 14-24 are dependent upon claim 1, 2 or 13 and thus likewise satisfy the PCT requirements with respect to novelty and inventive step.